

# HOUSE BILL No. 1112

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-23-30.

**Synopsis:** Department of transportation advisory board. Establishes the 18 member Indiana department of transportation advisory board. Sets policies and procedures for the board.

**Effective:** July 1, 2016.

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January 7, 2016, read first time and referred to Committee on Roads and Transportation.

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Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

## HOUSE BILL No. 1112

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 8-23-30 IS ADDED TO THE INDIANA CODE AS
- 2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2016]:
- 4 **Chapter 30. Indiana Department of Transportation Advisory**
- 5 **Board**
- 6 **Sec. 1. As used in this chapter, "board" refers to the Indiana**
- 7 **department of transportation advisory board established by**
- 8 **section 2 of this chapter.**
- 9 **Sec. 2. The Indiana department of transportation advisory**
- 10 **board is established.**
- 11 **Sec. 3. The board is vested with the following duties:**
- 12 **(1) To study highway construction projects.**
- 13 **(2) To advise the department on issues and policies regarding**
- 14 **transportation needs in Indiana.**
- 15 **Sec. 4. In addition to the duties set forth in section 3 of this**
- 16 **chapter, the board shall promote coordinated transportation**
- 17 **systems. Before setting priorities, the board shall seek pertinent**



information, facts, and data from local governmental units, agencies, and providers regarding rural transportation issues.

Sec. 5. (a) The board consists of eighteen (18) individuals, comprising three (3) representatives from each of the six (6) transportation districts of the department.

(b) The governor shall appoint the members of the board subject to the following:

(1) Not more than ten (10) members of the board may be of the same political party.

(2) Each member of the board shall represent experience and expertise in the areas of motor carrier transportation, commerce, agriculture, economics, shipping, highway construction, or highway safety.

(3) Two (2) of the members of the board must represent an organization or association that represents the agricultural industry and growers of Indiana produced agricultural products, with one (1) of these two (2) members representing Indiana's largest general farming organization.

(4) Two (2) members other than the members set forth in subdivision (3) must represent an organization or association that represents the motor carrier industry.

(5) A member of the board may not be a state employee.

Sec. 6. (a) A member appointed to the board under section 5 of this chapter serves a four (4) year term. A member is eligible for reappointment.

(b) Subject to subsection (c), a member is entitled to serve for the term of the appointment or reappointment and is entitled to continue to serve after the expiration of the appointment or reappointment until a successor is appointed and qualified.

(c) A member may be removed from the board by the governor and serves at the pleasure of the governor.

(d) If a vacancy occurs among the members of the board, the governor shall appoint another individual within thirty (30) days of the vacancy to serve for the unexpired term of the vacating member.

(e) The governor shall, at the time of the initial appointment of the board, adjust the length of terms to ensure that the terms of the members of the board are staggered so that one-half (1/2) of the board is appointed every two (2) years.

Sec. 7. (a) The board shall elect one (1) member to serve as chairperson of the board for a term of two (2) years, unless the chairperson's appointment expires before the expiration of the



1 term, in which case the term is for the duration of the appointment  
2 of the chairperson.

3 (b) The chairperson has the ability to remove a member for  
4 cause, including excessive absences from meetings of the board.

5 Sec. 8. Meetings of the board shall be conducted in accordance  
6 with the following:

7 (1) The board shall meet at least once during a calendar  
8 quarter.

9 (2) A quorum of the board for transacting business consists of  
10 eleven (11) members.

11 (3) When a quorum under subdivision (2) has been met, the  
12 affirmative vote of at least one (1) more than one-half (1/2) the  
13 number of members in attendance at the meeting is necessary  
14 for any action to be taken by the board.

15 (4) A vacancy in the membership of the board does not impair  
16 the right of a quorum to exercise all rights and perform all  
17 duties of the board.

18 Sec. 9. Each member of the board is entitled to the minimum  
19 salary per diem provided by IC 4-10-11-2.1(b). The member is also  
20 entitled to reimbursement for traveling expenses as provided under  
21 IC 4-13-1-4 and other expenses actually incurred in connection  
22 with the member's duties as provided in the state policies and  
23 procedures established by the Indiana department of  
24 administration and approved by the budget agency.

